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12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15 GOOGLE LLC,

16 Plaintiff,

17 vs.

18 SONOS, INC.,

19 Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN  
SUPPORT OF SONOS, INC.'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED (DKT. 533)**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. 533) filed in connection with Sonos’s Reply in Support of Motion for Summary Judgment Regarding Google’s Contract-Related Claims (“Sonos’s Reply”) (Dkt. 532). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Sonos’s Reply <sup>1</sup>	Portions highlighted in green	Portions highlighted in green	Google and Sonos
Sonos’s Reply	Portions highlighted in blue	None	Google
Exhibit 14 to Kolker Declaration (“Exhibit 14”)	Entire document	None	Google
Exhibit 15 to Kolker Declaration (“Exhibit 15”)	Entire document	Entire document	Google and Sonos

4. I understand that the Court analyzes sealing requests in connection with motions for summary judgment pursuant to the “compelling reasons” standard. *See, e.g., Edwards Lifesciences Corp. v. Meril Life Scis. Pvt. Ltd.*, No. 19-CV-06593-HSG, 2021 WL 5233129, at \*4 (N.D. Cal. Nov. 10, 2021); *Baird v. BlackRock Institutional Tr. Co., N.A.*, No. 17-CV-01892-HSG, 2021 WL 105619, at \*5 (N.D. Cal. Jan. 12, 2021). I also understand that the Court has held that confidential business information in the form of agreements, confidential licensing negotiations, and business strategies

<sup>1</sup> Because Sonos has also sought to seal portions of this document, Google has not filed a revised public redacted version.

1 satisfy the “compelling reasons” standard. *Exeltis USA Inc. v. First Databank, Inc.*, No. 17-CV-  
2 04810-HSG, 2020 WL 2838812, at \*1 (N.D. Cal. June 1, 2020).

3         5.         The portions of Sonos’s Reply highlighted in green contain references to and  
4 quotations of terms from Google’s confidential business agreements that are not public. I understand  
5 that public disclosure of this information would harm Google’s competitive standing and its ability to  
6 negotiate future agreements by giving competitors access to Google’s highly confidential business  
7 thinking and asymmetrical information about Google’s collaboration strategies to other entities. If  
8 such information were made public, I understand that Google’s competitive standing would be  
9 significantly harmed. Google has therefore designated this information as HIGHLY  
10 CONFIDENTIAL—ATTORNEYS’ EYES ONLY under the protective order (Dkt. 92). A less  
11 restrictive alternative than sealing would not be sufficient because the information sought to be sealed  
12 is Google’s proprietary and confidential business information but has been utilized by Sonos in  
13 support of its Reply. I also understand that this Court has previously granted sealing of the same  
14 and/or similar information. *See, e.g.*, Dkt. 39 at 1.

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